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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/689,503	10/12/00	CONNELL	M ALT-5604D CO
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IM22/0321

PAULA KELLY, ESQ.
BAXTER INTERNATIONAL INC.
ONE BAXTER PARKWAY, DF3-3E
DEERFIELD IL 60015

EXAMINER

DRODGE, J

ART UNIT

PAPER NUMBER

1723

10

DATE MAILED:

03/21/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/689,503

EXAMINER

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DATE MAILED:

This is a communication from the examiner in charge of this application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to the Application filed on 10/12/2000
- ☒ The allowed claim(s) is/are 30-54, now renumbered claims 1-25
- ☒ The drawings filed on 10-12-2000 are acceptable as formal drawings.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☒ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2,5 and 154
- ☐ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Interview Summary, PTO-413
- ☒ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Barrett on March 7, 2001.

2. The application has been amended as follows:

In claim 30, line 8 "hemodialysis machine" has been replaced with ~~hemodialyzer~~ ^{hemodialysis apparatus}.

In the Specification: on page 1 -- This application is a continuation of

application 09/067,922, filed on April 28, 1998, now abandoned, which is a continuation of application 08/479,688, filed on June 7, 1995, now patent 5,744,027, which is a divisional of application 08/122,047, filed on September 14, 1993, now patent 5,486,286, which is a divisional of application 07/688,174, filed on April 19, 1991, now patent 5,247,434. ^{has} ~~has~~ been inserted

immediately below the Title and in line 22 "FIG. 1 is a" has been replaced with --FIGS. 1A and 1B are-- and "diagram" has been replaced with --diagrams--;

at each of page 2, line 20, page 3, line 2; page 30, line 7; page 34, line 32; and page 34, line 34 "FIG. 1" has been replaced with --FIGS 1A and 1B--;

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at each of page 3, line 29; page 4, line 37; page 5, line 13; page 10, line 25; page 29, line 27, page 30, line 31; page 33, line 20 (first occurrence); page 34, each of lines 29 and 30; page 35, line 25; page 38, line 3; page 39, line 26; page 46, line 3; page 47, line 9; page 48, line 9; page 52, line 13; page 61, line 13 and page 63, line 35 "FIG. 1" has been replaced with --FIG. 1A--; and

at each of page 6, line 26; page 7, line 34; page 8, each of lines 3 and 9; page 29, line 22; page 30, line 30; page 31, each of lines 12, 17, 23 and 24; page 32, line 5; page 33, line 20 (second occurrence); page 39, line 21; page 40, each of lines 10, 29 and 30; page 50, line 34; page 53, line 22; page 55, each of lines 20 and 30; and page 62, line 22 "FIG. 1" has been replaced with --FIG. 1B--.

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 1B is to be amended to show sensors 162 and 164, as referenced on page 55, line 29 of the instant Specification. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

4. The following is an examiner's statement of reasons for allowance: Independent claim 30, and thus the claims dependent therefrom, are now deemed to distinguish over the closest prior art, deemed to constitute a possible combination of systems disclosed by Lichtenstein patent 4,370,983 and/or Bjare et al patent 4,900,258 in view of Kerns et al patent 4,756,706 and/or Rubalcaba patent 4,898,578 for the recitations within claim 30 "touch screen being operable to display an indicium permitting the user to perform, using the touch screen, at least one

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step of a procedure for changing the setting of the parameter, and to display a time-variable profile of the operational parameter, the profile being representable as a plot of coordinates, the plot being with respect to an ordinate of values of the operational parameter and a time-based abscissa".

Lichtenstein and Bjare et al are representative of automated dialysis systems which utilized a computer or microprocessor and an associated array of computer-user operator interfaces. Kerns et al and Rubalcaba each constitute medical infusion systems in which touch screen interfaces at least partly controlled input to computerized control systems; however each lacking any suggestion of the screen being operable to allow an operator to change the setting of a parameter of the type representable as a plot of coordinates with respect to an ordinate of parameter values and a time based abscissa.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph W. Drodge whose telephone number is (703) 308-0403. The examiner can normally be reached on Monday-Friday from approximately 8:30 AM - 4:45 PM.


The fax phone number for this Group is (703) 305-3599. When filing a FAX in Tech Center 1700, please indicate in the Header (upper right) "Official" for papers that are to be

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entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Joseph W. Drodge
Primary Examiner
Art Unit 1723

JWD
March 16, 2001

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

IM22/0321

PAULA KELLY, ESQ.
BAXTER INTERNATIONAL INC.
ONE BAXTER PARKWAY, DF3-3E
DEERFIELD IL 60015

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/689,503	10/12/00	025	DRODGE, J	1723 03/21/01
First Named Applicant	CONNELL, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION METHOD AND APPARATUS FOR KIDNEY DIALYSIS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1	ALT-5604D CO	210-143.000	D76	UTILITY	NO	\$1240.00 06/21/01

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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